

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Ian H. COATES *et al.*

Serial No. 07/741,570

Filed: Aug. 7, 1991

For: TETRAHYDRO-1H-PYRIDO[4,3-b]-
INDOL-1-ONE DERIVATIVES



Group Art Unit: 1203

Examiner: ROTMAN

Batch No. W41

REQUEST FOR CLARIFICATION OF RECORD

Hon. Comm. of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicants acknowledge with appreciation receipt of the Notice of Allowance and Issue Fee Due. The Issue Fee is being paid concurrently herewith.

Upon a review of the file, applicants have noted that initialled and dated copies of the Forms PTO-1449 filed in connection with the parent application serial number 07/239,626 have been returned to the undersigned to confirm that the publications made of record in the parent have been considered and made officially of record in the present allowed application. However, applicants supplemented the information disclosure in the present application in conjunction with the Amendment filed June 4, 1993, and an additional Form PTO-1449 was provided to the Examiner (copy attached). It is most respectfully requested that an initialled and dated copy of the June 4, 1993, Form PTO-1449 be returned to the undersigned at the earliest possible convenience of the Patent Office to confirm that all of the publications disclosed by applicants will appear on the face of the Letters Patent to issue on the present application.

Respectfully submitted,

Terri J. Latonik

Terri J. Latonik
Registration No. 36,577

BACON & THOMAS
625 Slaters Lane - 4th Fl.
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Phone: (703) 683-0500
June 21, 1994

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicants acknowledge with appreciation receipt of the Notice of Allowance and Issue Fee Due. The Issue Fee is being paid concurrently herewith.

Applicants concur that a carbon-to-carbon bond is patentably distinct from a carbon-to-nitrogen bond and that this indeed differentiates the claims of the instant application from certain of the claims of U.S. Patent 4,985,422. The claims of the present application are, moreover, further differentiated from those of the '422 patent in that they relate to a class of compounds possessing an indole ring, whereas the invention of the '422 patent involves either a benzofuran or a benzothiophen moiety. Such differences are clearly fundamental ones, and further distinguish the claims of the present application over those of the '422 patent.

Respectfully submitted,

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